United Nations A/INF/52/5

General Assembly

Distr.: General
12 December 1997

Original: English

Fifty-second session

United Nations Administrative Tribunal

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly, for their information, the attached note from the United Nations Administrative Tribunal to the President of the General Assembly.

98-05109 (E) 250398 300398

Annex

Annual note by the United Nations Administrative Tribunal

1. At its third plenary session, held in Paris on 20 December 1951, the Administrative Tribunal decided to submit a note each year to the President of the General Assembly. In accordance with that decision, the following note is submitted in respect of the year 1997.

A. Appointment of members of the Tribunal by the General Assembly

2. At its 58th plenary meeting, on 14 December 1996, the General Assembly, on the recommendation of the Fifth Committee (see A/51/668), appointed Mr. Mayer Gabay and Mr. Julio Barboza as members of the United Nations Administrative Tribunal for a three-year term of office beginning on 1 January 1997.

B. Composition of the Tribunal during 1997

3. In 1997, the Tribunal was composed of the following members:

Mr. Hubert Thierry, President
Mr. Samar Sen, First Vice-President
Mr. Mikuin Leliel Balanda, Second Vice-President
Mr. Francis Spain
Mr. Mayer Gabay
Ms. Deborah Taylor Ashford
Mr. Julio Barboza

C. Forty-eighth plenary session

4. The Tribunal met in annual plenary session in New York on 24 November 1997, pursuant to article 5, paragraph 1, of its rules. All members were present except for Mr. Balanda and Mr. Spain, who were both absent for the duration of the session.

D. Judgements delivered during 1997

5. In 1997, the Tribunal held two sessions, one in Geneva from 30 June to 1 August, and one in New York from 27 October to 26 November. The composition of the panels and the corresponding judgements rendered are as follows:

Case No. 618: Narula

(Narula against the Secretary-General of the United Nations)
(Request for interpretation of Judgement No. 581)
Judgement AT/DEC/846

New York, 7 to 25 November 1997

Mr. Thierry, President
Mr. Gabay
Mr. Barboza

* * *

Case No. 743: Bentaleb

(Bentaleb against the Secretary-General of the United Nations)
(Request for revision of Judgement No. 723)
Judgement AT/DEC/836

Geneva, 2 July to 1 August 1997

Mr. Thierry, President
Mr. Gabay
Mr. Barboza

* * *

Case No. 759: Museibes

(Museibes against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Request for revision of Judgement No. 717)
Judgement AT/DEC/823

Geneva, 8 to 25 July 1997

Mr. Balanda, presiding
Ms. Ashford
Mr. Barboza

* * *

Case No. 762: Thiam

(Thiam against the Secretary-General of the United Nations)
(Request for revision of Judgement No. 715)
Judgement AT/DEC/827

Geneva, 8 July to 1 August 1997

Mr. Thierry, President
Mr. Balanda
Mr. Gabay

* * *

Case No. 776: Oudeh

(Oudeh against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Request for revision of Judgement No. 708)
Judgement AT/DEC/822

Geneva, 8 to 25 July 1997

Mr. Balanda, presiding
Ms. Ashford
Mr. Barboza

* * *

Cases No. 777: Khadra
No. 780: Fahoum
No. 781: Nourallah
No. 783: Zeidan
No. 784: Khalaf

(Khadra, Fahoum, Nourallah, Zeidan and Khalaf against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Request for revision of Judgement No. 716)
Judgement AT/DEC/824

Geneva, 8 to 25 July 1997

Mr. Balanda, presiding
Ms. Ashford
Mr. Barboza

* * *

Case No. 779: Khalidi et al.

(Khalidi et al. against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Request for revision of Judgement No. 710)
Judgement AT/DEC/825

Geneva, 8 to 25 July 1997

Mr. Balanda, presiding
Ms. Ashford
Mr. Barboza

* * *

Case No. 802: Akkawi

(Akkawi against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Request for revision of Judgement No. 732)
Judgement AT/DEC/821

Geneva, 8 to 25 July 1997

Mr. Balanda, presiding
Ms. Ashford
Mr. Barboza

* * *

Case No. 853: Moawad

(Moawad against the Secretary-General of the United Nations)
(Claim by former internationally recruited staff member of the United Nations for rescission of the decision to separate him from service on account of his refusal to relinquish his newly acquired United States permanent resident status)
Judgement AT/DEC/819

Geneva, 9 to 25 July 1997

Mr. Balanda, presiding
Mr. Gabay
Ms. Ashford

* * *

Case No. 859: Emblad

(Emblad against the Secretary-General of the United Nations)
(Request by former UNHCR staff member for compensation for the loss of his United Nations employment and for pain and suffering incurred as a result of accusations against him)
Judgement AT/DEC/813

Geneva, 2 to 25 July 1997

Mr. Sen, presiding
Mr. Gabay
Ms. Ashford

* * *

Case No. 861: Knowles

(Knowles against the Secretary-General of the United Nations)
(Request for revision of Judgement No. 784)
Judgement AT/DEC/845

New York, 7 to 25 November 1997

Mr. Thierry, President
Mr. Gabay
Mr. Barboza

* * *

Case No. 876: Al Shami

(Al Shami against the Secretary-General of the United Nations)
(Claim by former United Nations Development Programme (UNDP) staff member that his fixed- term appointment was not extended owing to prejudice on the part of the UNDP Resident Representative)
Judgement AT/DEC/831

Geneva, 15 July to 1 August 1997

Mr. Sen, presiding
Mr. Balanda
Mr. Gabay

* * *

Case No. 881: Everett

(Everett against the Secretary-General of the United Nations)
(Claim by former UNDP staff member for reinstatement and rescission of the decision to place her on special leave with pay)
Judgement AT/DEC/812

Geneva, 1 to 25 July 1997

Mr. Sen, presiding
Mr. Gabay
Ms. Ashford

* * *

Case No. 901: Tlatli

(Tlatli against the Secretary-General of the United Nations)
(Claim by former UN staff member for rescission of the decision not to extend his fixed-term appointment)
Judgement AT/DEC/833

Geneva, 17 July to 1 August 1997

Mr. Thierry, President
Mr. Sen
Mr. Barboza

* * *

Case No. 902: Bakir

(Bakir against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA))
(Claim by UNRWA area staff member for reappointment to a post at the grade 8 level. Claim for disability compensation on grounds of service-incurred illness)
Judgement AT/DEC/817

Geneva, 14 to 25 July 1997

Mr. Thierry, President
Mr. Sen
Ms. Ashford

* * *

Case No. 903: Calin

(Calin against the Secretary-General of the United Nations)
(Claim by former United Nations staff member for rescission of the decision to dismiss her for misconduct and for compensation for moral injury)
Judgement AT/DEC/815

Geneva, 7 to 25 July 1997

Mr. Sen, presiding
Mr. Gabay
Ms. Ashford

* * *

Case No. 904: De'bes et al.

(De'bes et al. against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Claim by former UNRWA area staff members for reinstatement in teaching positions and payment of a termination indemnity for service prior to their resignation)
Judgement AT/DEC/832

Geneva, 4 July to 1 August 1997

Mr. Thierry, President
Mr. Sen
Mr. Barboza

* * *

Case No. 905: Kumar

(Kumar against the Secretary-General of the United Nations)
(Claim by former United Nations staff member for reinstatement on the grounds that the decision not to extend his appointment was motivated by prejudice. Claim that the decision not to select him for a post was improper)
Judgement AT/DEC/834

Geneva, 17 July to 1 August 1997

Mr. Balanda, presiding
Mr. Gabay
Mr. Barboza

* * *

Case No. 906: Paukert

(Paukert against the Secretary-General of the United Nations)
(Claim by retired United Nations staff member that, by offering her a series of short-term contracts or Special Service Agreements instead of a permanent contract, the United Nations had prevented her from acquiring pension rights. Claim for compensation on the ground that the United Nations abused its discretionary power by yielding to pressure by the Czech authorities not to grant her a permanent contract)
Judgement AT/DEC/818

Geneva, 9 to 25 July 1997

Mr. Balanda, presiding
Mr. Gabay
Ms. Ashford

* * *

Case No. 909: Beliayeva

(Beliayeva against the Secretary-General of the United Nations)
(Claim by former United Nations staff member for reinstatement and rescission of the decision not to extend her fixed-term appointment or convert it into a permanent appointment, on the ground that the decision was tainted by an invalid performance evaluation report)
Judgement AT/DEC/826

Geneva, 7 July to 1 August 1997

Mr. Thierry, President
Mr. Gabay
Mr. Barboza

* * *

Case No. 910: Wong

(Wong against the Secretary-General of the United Nations)
(Claim by United Nations staff member for rescission of the decision to transfer him back to Headquarters from service in the International Civilian Mission in Haiti (MICIVIH) two months prior to the expiration of his assignment, on the ground that such transfer violated his contractual rights)
Judgement AT/DEC/820

Geneva, 1 to 25 July 1997

Mr. Sen, presiding
Mr. Gabay
Ms. Ashford

* * *

Case No. 912: Al-Hafedh

(Al-Hafedh against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Claim by former UNRWA area staff member, who resigned to take a position with another United Nations organization, for a termination indemnity, on the ground that her employment situation merited the same treatment as that of other UNRWA colleagues who were declared redundant)
Judgement AT/DEC/816

Geneva, 14 to 25 July 1997

Mr. Thierry, President
Mr. Sen
Ms. Ashford

* * *

Case No. 913: Dia

(Dia against the Secretary-General of the United Nations)
(Claim by former UNHCR staff member for rescission of the decision to terminate his appointment on the ground that the decision was vitiated by improper motives and violated the Staff Rules)
Judgement AT/DEC/835

Geneva, 8 July to 1 August 1997

Mr. Thierry, President
Mr. Balanda
Mr. Barboza

* * *

Case No. 914: Wheeler

(Wheeler against the Secretary-General of the International Maritime Organization)
(Claim by former IMO staff member for rescission of the decision to terminate her fixed-term appointment following a probationary period)
Judgement AT/DEC/808

Geneva, 2 to 25 July 1997

Mr. Thierry, President
Mr. Gabay
Ms. Ashford

* * *

Case No. 915: Purifoy

(Purifoy against the Secretary-General of the International Civil Aviation Organization)
(Claim by former ICAO Senior Airways Engineering Adviser for rescission of the decision to terminate his appointment. Claim for reinstatement and for compensation)
Judgement AT/DEC/810

Geneva, 3 to 25 July 1997

Mr. Sen, presiding
Mr. Gabay
Ms. Ashford

* * *

Case No. 916: Shamapande

(Shamapande against the Secretary-General of the United Nations)
(Claim by United Nations staff member for rescission of the decision to select another candidate for a D-1 position. Claim that the fullest regard was not given to his qualifications, in violation of the Charter of the United Nations and the Staff Rules)
Judgement AT/DEC/828

Geneva, 16 July to 1 August 1997

Mr. Thierry, President
Mr. Balanda
Mr. Barboza

* * *

Case No. 918: Monteleone-Gilfillian

(Monteleone-Gilfillian against the Secretary-General of the United Nations)
(Claim by United Nations staff member for consideration for promotion to the P-3 level with retroactive effect from 1 April 1992, on the ground that she was not given full and fair consideration for promotion as a result of procedural irregularities and prejudicial and discriminatory treatment. Claim that the Applicant's department improperly refused to seek a reclassification of her post)
Judgement AT/DEC/814

Geneva, 9 to 25 July 1997

Mr. Sen, presiding
Mr. Gabay
Ms. Ashford

* * *

Case No. 919: Noyen

(Noyen against the Secretary-General of the United Nations)
(Claim by former United Nations staff member for a termination indemnity on the basis of his length of service with the Organization and on the ground that he had a legitimate expectancy of employment until age 60)
Judgement AT/DEC/839

Geneva, 8 July to 1 August 1997

Mr. Thierry, President
Mr. Gabay
Mr. Barboza

* * *

Case No. 920: Mucino

(Mucino against the Secretary-General of the United Nations)
(Claim by former UNDP staff member that the decision to terminate his permanent appointment for abolition of post violated the Staff Rules since his transfer to the abolished post was improperly motivated. Claim that the Administration did not make sufficient efforts to place him in an alternative post as required by staff rule 109.1)
Judgement AT/DEC/840

Geneva, 14 July to 1 August 1997

Mr. Thierry, President
Mr. Sen
Mr. Balanda

* * *

Case No. 921: Martin

(Martin against the Secretary-General of the United Nations)
(Claim by United Nations staff member for appointment to a P-4 level post and for compensation, on the ground that his non-selection for the position for which he applied was discriminatory and motivated by prejudice and bias against him)
Judgement AT/DEC/829

Geneva, 17 July to 1 August 1997

Mr. Balanda, presiding
Mr. Gabay
Mr. Barboza

* * *

Case No. 922: Szekielda

(Szekielda against the Secretary-General of the United Nations)
(Claim by United Nations staff member for retroactive appointment to the D-1 level and for compensation, on the grounds that the Administration improperly failed to implement the Secretary-General's decision to promote him and denied him due process)
Judgement AT/DEC/862

Geneva, 15 to 25 July 1997
New York, 29 October to 26 November 1997

Mr. Sen, presiding
Ms. Ashford
Mr. Barboza

* * *

Case No. 923: Hallet

(Hallet against the Secretary-General of the International Civil Aviation Organization)
(Claim by former ICAO staff member for compensation, clarification of the differences between an OPAS expert and an ICAO officer and an apology from the Organization on grounds of breach of his employment contract)
Judgement AT/DEC/811

Geneva, 3 to 25 July 1997

Mr. Sen, presiding
Mr. Gabay
Ms. Ashford

* * *

Case No. 924: Palermo

(Palermo against the Secretary-General of the United Nations)
(Claim by former UNDP staff member for reinstatement in the post of Information Officer or a similar post, following Judgement No. 580 of 18 November 1992)
Judgement AT/DEC/863

New York, 3 to 26 November 1997

Mr. Thierry, President
Mr. Sen
Mr. Barboza

* * *

Cases No. 925: Guest
No. 926: Slatford

(Guest and Slatford against the Secretary-General of the United Nations)
(Claim by former staff members of the World Food Council for reinstatement and rescission of the decision to terminate their permanent appointments)
Judgement AT/DEC/841

Geneva, 16 July to 1 August 1997

Mr. Thierry, President
Mr. Balanda
Mr. Barboza

* * *

Case No. 927: Cruz-Cousillas

(Cruz-Cousillas against the Secretary-General of the United Nations)
(Claim by former United Nations staff member for compensation on the ground that he had a right to have his appointment extended beyond the mandatory age of separation from service)
Judgement AT/DEC/838

Geneva, 8 July to 1 August 1997

Mr. Thierry, President
Mr. Balanda
Mr. Barboza

* * *

Case No. 928: Walter

(Walter against the Secretary-General of the United Nations)
(Claim by former United Nations staff member for retroactive promotion to the P-3 level and compensation on the ground that, since 1988, she had been performing P-3 functions and was improperly denied promotion to that level. Allegation that this constituted a denial of due process)
Judgement AT/DEC/809

Geneva, 1 to 25 July 1997

Mr. Sen, presiding
Mr. Gabay
Ms. Ashford

* * *

Case No. 929: Anih

(Anih against the Secretary-General of the United Nations)
(Claim by former United Nations Children's Fund (UNICEF) staff member for reinstatement and rescission of the disciplinary decision to dismiss him for misconduct)
Judgement AT/DEC/830

Geneva, 11 July to 1 August 1997

Mr. Sen, presiding
Mr. Balanda
Mr. Gabay

* * *

Case No. 930: McGehee

(McGehee against the Secretary-General of the United Nations)
(Claim by former United Nations staff member for reinstatement and renewal of contract, on the grounds that the Respondent denied the Applicant procedural and substantive due process and made a decision that was prejudicial and tainted by extraneous considerations)
Judgement AT/DEC/843

Geneva, 11 to 24 July 1997
New York, 28 October to 25 November 1997

Mr. Sen, presiding
Mr. Gabay
Ms. Ashford

* * *

Case No. 931: Merani

(Merani against the Secretary-General of the United Nations)
(Claim by former United Nations staff member for rescission of the decision to terminate his permanent appointment and for reinstatement on the grounds of violation of his contract and of the Staff Rules and Regulations as well as abuse of authority and *détournement de pouvoir*)
Judgement AT/DEC/842

Geneva, 16 to 31 July 1997
New York, 11 to 25 November 1997

Mr. Thierry, President
Mr. Gabay
Mr. Barboza

* * *

Case No. 932: Sakbani

(Sakbani against the Secretary-General of the United Nations)
(Claim by United Nations staff member for change in his birth date in the United Nations official records and rescission of the decision not to implement this change)
Judgement AT/DEC/837

Geneva, 8 July to 1 August 1997

Mr. Thierry, President
Mr. Balanda
Mr. Barboza

* * *

Case No. 933: Wyss

(Wyss against the Secretary-General of the United Nations)
(Claim by staff member of the Office of the United Nations High Commissioner for Refugees (UNHCR) that the date of her promotion should be changed from 1 July 1992 with retroactive effect to 1 July 1991. Claim for damages for alleged procedural irregularities)
Judgement AT/DEC/847

New York, 11 to 25 November 1997

Mr. Sen, presiding
Mr. Gabay
Mr. Barboza

* * *

Case No. 935: von Seth

(von Seth against the Secretary-General of the United Nations)
(Claim by former UNHCR staff member for rescission of the disciplinary decision to dismiss him for misconduct)
Judgement AT/DEC/849

New York, 28 October to 25 November 1997

Mr. Sen, presiding
Mr. Gabay
Ms. Ashford

* * *

Case No. 936: Khan

(Khan against the Secretary-General of the United Nations)
(Claim by United Nations staff member that she should have been promoted to the P-5 level and that the failure to promote her resulted from unfair considerations, given the absence of a performance evaluation report)
Judgement AT/DEC/848

New York, 28 October to 25 November 1997

Mr. Sen, presiding
Mr. Gabay
Ms. Ashford

* * *

Case No. 937: Kurtulmaz

(Kurtulmaz against the Secretary-General of the United Nations)
(Claim by former staff member of the United Nations Office at Vienna (UNOV) for rescission of the decision to terminate her permanent appointment)
Judgement AT/DEC/861

New York, 29 October to 26 November 1997

Mr. Sen, presiding
Ms. Ashford
Mr. Barboza

* * *

Case No. 938: Obeid

(Obeid against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Claim by former UNRWA staff member against the alleged premature termination of his services owing to the refusal of the Agency to amend the year of his birth in the Agency's records)
Judgement AT/DEC/867

New York, 31 October to 26 November 1997

Mr. Thierry, President
Mr. Sen
Mr. Barboza

* * *

Case No. 941: Eagleton

(Eagleton against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Claim by former UNRWA staff member that the Administration improperly withheld a portion of a taxation refund paid to him by the United States federal tax authorities)
Judgement AT/DEC/865

New York, 30 October to 26 November 1997

Mr. Thierry, President
Mr. Gabay
Ms. Ashford

* * *

Case No. 942: Khreis

(Khreis against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Claim by former UNRWA staff member that the Administration improperly deducted from his Provident Fund benefits the installation grant paid to him on the change of his duty station from Vienna to Beirut)
Judgement AT/DEC/860

New York, 10 to 26 November 1997

Mr. Thierry, President
Ms. Ashford
Mr. Barboza

* * *

Case No. 943: Gurun

(Gurun against the Secretary-General of the United Nations)
(Claim by United Nations staff member that she was improperly denied the right to apply for a Professional position, unless she passed the G to P competitive examination)
Judgement AT/DEC/851

New York, 5 to 25 November 1997

Mr. Sen, presiding
Mr. Gabay
Ms. Ashford

* * *

Case No. 944: Khawam

(Khawam against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Claim by former UNRWA staff member that he is entitled to payment of the repatriation grant)
Judgement AT/DEC/866

New York, 10 to 26 November 1997

Mr. Thierry, President
Ms. Ashford
Mr. Barboza

* * *

Case No. 945: Madarshahi

(Madarshahi against the Secretary-General of the United Nations)
(Claim by United Nations staff member for rescission of the decision to freeze the post she formerly encumbered and for a finding that ST/AI/415 of 2 April 1996 is null and void since it violates the Staff Rules and Regulations)
Judgement AT/DEC/864

Geneva, 4 to 31 July 1997
New York, 12 to 26 November 1997

Mr. Thierry, President
Mr. Sen
Mr. Barboza

* * *

Case No. 946: Mr. M.

(Mr. M. against the Secretary-General of the United Nations)
(Claim by former United Nations staff member that he was entitled to payment of sums resulting from an arrangement with the Organization, which he asserts was an "agreed termination")
Judgement AT/DEC/858

New York, 6 to 25 November 1997

Mr. Thierry, President
Mr. Gabay
Mr Barboza

* * *

Case No. 949: Daly and Opperman

(Daly and Opperman against the Secretary-General of the United Nations)
(Claim by former and current United Nations General Service staff members that they are entitled to an upgrade of their posts to the G-7 level since their functions were classified at that level)
Judgement AT/DEC/857

New York, 5 to 25 November 1997

Mr. Sen, presiding
Mr. Gabay
Ms. Ashford

* * *

Case No. 950: Lombardi

(Lombardi against the Secretary-General of the United Nations)
(Claim by United Nations staff member that he was improperly reprimanded by the Assistant Secretary-General for Human Resources Management for an act performed in the capacity of staff representative)
Judgement AT/DEC/855

New York, 3 to 25 November 1997

Mr. Thierry, presiding
Mr. Gabay
Mr. Barboza

* * *

Case No. 951: Sikka

(Sikka against the Secretary-General of the United Nations)
(Claim by former United Nations staff member for retroactive promotion to the G-6 level, from 1 January 1982, on the ground that her promotion was blocked by her supervisor's abuse of power and personal prejudice against her)
Judgement AT/DEC/844

New York, 10 to 25 November 1997

Mr. Thierry, President
Mr. Gabay
Ms. Ashford

* * *

Case No. 952: Wassef

(Wassef against the United Nations Joint Staff Pension Board (UNJSPB))
(Claim by participant in the United Nations Joint Staff Pension Fund (UNJSPF) against a decision by UNJSPB to deny him a disability benefit)
Judgement AT/DEC/853

New York, 5 to 25 November 1997

Mr. Sen, presiding
Mr. Gabay
Ms. Ashford

* * *

Case No. 953: Islam

(Islam against the United Nations Joint Staff Pension Board)
(Claim by participant in UNJSPF against a decision by UNJSPB to apply the requirement of article 21 (b) of the Fund's Regulations that, to deem participation in the Fund to have been continuous upon resumption of contributory service, the participant must not have received a benefit from the Fund after his separation)
Judgement AT/DEC/854

New York, 30 October to 25 November 1997

Mr. Sen, presiding
Mr. Gabay
Ms. Ashford

* * *

Case No. 954: Chowaniec

(Chowaniec against the Secretary-General of the United Nations)
(Claim by former United Nations staff member of Polish nationality, who separated from service in 1980, that his appointment was not extended on account of political considerations resulting from the cold war. Request for a waiver of time limits)
Judgement AT/DEC/856

New York, 30 October to 25 November 1997

Mr. Sen, presiding
Mr. Gabay
Ms. Ashford

* * *

Case No. 956: Carroll

(Carroll against the Secretary-General of the International Civil Aviation Organization)
(Claim by ICAO General Service staff member against the decision of the Secretary-General to implement the salary scale set by the International Civil Service Commission)
Judgement AT/DEC/859

New York, 13 to 26 November 1997

Mr. Thierry, President
Mr. Sen
Mr. Barboza

* * *

Case No. 957: Patel

(Patel against the Secretary-General of the United Nations)
(Claim by former United Nations staff member for rescission of the disciplinary decision to dismiss her for misconduct)
Judgement AT/DEC/850

New York, 6 to 25 November 1997

Mr. Thierry, President
Mr. Gabay
Ms. Ashford

* * *

Case No. 960: Balogun

(Balogun against the Secretary-General of the United Nations)
(Claim by former United Nations staff member that the decision not to consider his application for a position earmarked for internal candidates because he did not hold a contract under the 100 series of the Staff Rules, violated his rights)
Judgement AT/DEC/852

Geneva, 31 July 1997
New York, 31 October to 25 November 1997

Mr. Thierry, President
Mr. Gabay
Mr. Barboza

* * *

Copies of the judgements will be available at Documents Distribution.

E. Schedule for 1998 sessions

6. Taking into consideration the number of cases already submitted to it, the Tribunal decided that the first ordinary session, referred to in article 6, paragraph 2, of its rules, would be held at Geneva beginning in June 1998, and that its second session would be held at Headquarters during the last quarter of 1998, pursuant to articles 5.1 and 6.2 of its rules.

F. Operational issues

7. In its annual note for the year 1991, the Tribunal requested of the General Assembly that two of the posts in its four-member secretariat, one Professional and one General Service, which had been allotted to the Tribunal on a temporary basis, be made permanent. Those posts were in fact abolished on 31 December 1996 and 31 January 1997 respectively. After 31 December 1997, unless action is taken, the Tribunal's secretariat will be composed of only two members. The Tribunal wishes to draw the attention of the General Assembly to the fact that in the years 1950-1984, when the Tribunal's secretariat consisted of two staff members, the Tribunal rendered 342 judgements, or approximately 10 per year. In the years 1985-1988, the Tribunal rendered 97 judgements, or approximately 24 per year. In the years 1988-1997, when the Tribunal's caseload was augmented and its secretariat was increased to four staff members, the Tribunal rendered 428 judgements, or approximately 97 per year. In the year 1996, the Tribunal rendered 61 judgements. If the Tribunal's secretariat is reduced to two members, the Tribunal's ability to fulfil its mandate will be severely impaired.